IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 12TH MARCH 2007 / 21ST PHALGUNA 1928

Bail Appl..No. 1472 of 2007()

CRIME NO.49/1999 OF PANNIYANKARA POLICE STATION

PETITIONER/ACCUSED

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1. T.P.RAJESH, S/O.BALAKRISHNAN,
PULIKKATHODIYAL, HOSPITAL ROAD,
PERINTHALMANNA, MALAPPURAM DIST.

2. SHOUKATHALI, S/O.MUHAMMAD,
PALAKODAN, PONCUMPAN P.O., THIRUR VIA,
MALAPPURAM.

BY ADV. SRI.KRISHNADAS P. NAIR
SMT.K.L.SREEKALA

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1472/2007

Dated this 12th day of March, 2007

O R D E R

The petitioners, who are accused Nos. 4 and 5 in Crime No.49/1999 of Panniyankara Police Station, Kozhikode, for an offence punishable under Section 395 IPC, seek anticipatory bail.

2. The learned Public Prosecutor opposed the application submitting inter alia that the petitioners, along with other accused in the case, are alleged to have robbed Rs.3,83,747/- from the defacto complainant, a collection agent in rice business, after chasing and stabbing him with a knife and that the occurrence came to light as revealed by the first accused, who was arrested in connection with another crime.

3. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioners should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioners surrender before the Magistrate concerned and file applications for regular bail

within two weeks from today, the same shall be considered and disposed of preferably on the same day on which the applications are filed.

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs